



Planning and Development Acts 2000 to 2018

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD18A/0177

Appeal by Gerry O'Neill of Brookfield House, Ninth Lock Road, Clondalkin, Dublin and by others against the decision made on the 22nd day of October, 2018 by South Dublin County Council to grant subject to conditions a permission to UHPC Limited care of Manahan Planners of 38 Dawson Street, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use of Steeple House (currently vacant) (with access from Ninth Lock Road) from office use to use as a Primary Healthcare Centre. The development will include 19 consultation rooms; 22 offices; three clinic rooms; two administration/reception; four large group rooms and associated ancillary uses. The change of use does not involve any additional floor area. The total existing floor area of the building involved is 1,878 square metres. The existing basement car park allocated to Steeple House contains parking for 66 number cars, including two number new enable car parking spaces and two number new electric charging spaces for the proposed development. 20 new bicycle parking spaces, new plant space and new storage area will be provided in addition. The existing entrance from the Ninth Lock Road providing pedestrian, cycle and vehicular access will remain as built, including existing landscaping. The existing plant on the roof is to be

replaced and upgraded, all at Steeple House (vacant), Thornfield Square, Clondalkin, Dublin.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the policies and objectives of the South Dublin County Development Plan 2016-2022, the zoning of the site, the planning history of the site, and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in principal, would have no adverse impact on the visual amenities of the area, meets the minimum parking standards set down in the County Development Plan and would, therefore, be in accordance with the proper planning and development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board agreed with the planning authority that the issues raised around access and parking can be adequately addressed by condition.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further information submitted on the 24th day of September, 2018, save as may be required by the other conditions attached hereto.

Reason: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

2. Prior to commencement of development, the developer shall submit to the planning authority the following:
 - (a) a drawing showing the surface water layout for the development up to and including the point of connection to the public sewer. The drawing shall include the location of all Ajs, manholes, pipe size, material type and direction of flow,
 - (b) a drawing showing what SUDS features are proposed for proposed development,
 - (c) include water butts in the proposed development as part of SUDS (Sustainable Drainage System), and
 - (d) submit a letter to comment on the flood risk if any of the proposed development.

Reason: In the interest of proper drainage.

3. (a) The water supply and drainage infrastructure, shall fully comply with all of the requirements of the planning authority.
- (b) There shall be completed separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150 millimetres Concrete Class B.
- (c) All works for this development as approved shall fully comply with the requirements of the planning authority.

Reason: In the interests of public health, the proper planning and sustainable development of the area. and in order to ensure adequate water supply and drainage provision.

4. Prior the commencement of works, the developer shall submit to the planning authority the following:
 - (a) a Construction Traffic Management Plan shall be agreed with the planning authority. The agreed plan, along with the written agreement of the planning authority shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file,

- (b) a Mobility Management Plan shall be completed within six months of the opening of the proposed development. The Mobility Management Plan shall include particular measures to reduce car dependency among staff. The Mobility Management Plan shall be agreed with the planning authority and the agreed plan, along with the written agreement of the planning authority shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file, and
- (c) a revised basement plan demonstrating all issues detailed within points one (i) – (v) of additional information requested by the planning authority on the 6th day of July, 2018.

Reason: In the interest of proper roads access and parking.

- 5. No advertising sign(s) or structure(s) (including any signs installed to be visible through windows), banners, canopies, flags, or other projecting elements shall be erected except those, which are exempted development, without the prior approval of the planning authority or An Bord Pleanála on appeal.

Reason: In the interest of visual amenity, compliance with development plan policies and the proper planning and sustainable development of the area.

- 6. Clearly audible and impulsive tones at noise sensitive locations during evening and night time as determined in S.I. No. 140/2006 – Environmental Noise Regulations 2006 (currently 1900 to 0700) shall be avoided irrespective of the noise level.

Reason: In the interest of public health by the prevent of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, and to uphold the planning authority's amenity policies set out in the South Dublin County Development Plan.

7. Plant equipment with low inherent potential for generation of noise shall be selected and used. All mechanical plant and ventilation inlets and outlets shall be sound insulated and/or fitted with sound attenuators as necessary to ensure that the noise level as expressed as LA_{eq} over 15 minutes at one metre from the façade of any noise sensitive location does not exceed the background level by more than 10 dB(A) for daytime and shall not exceed the background level for evening and night time (currently 1900 to 0700) as determined in S.I. No. 140/2006 – Environmental Noise Regulations 2006.

Reason: To avoid unnecessary noise nuisance and in the interest of public health by the prevent of unacceptable levels of noise pollution which could interfere with normal sleep rest patterns and/or when people could reasonably expect a level of quietness, and to uphold the planning authority's amenity policies in the South Dublin County Council Development Plan.

8. (a) Noise due to the normal operation of the proposed development, expressed as LA_{eq} over 15 minutes at the façade of any noise sensitive location shall not exceed the daytime background level, that is, 0700 to 1900 hours by more than 10 dB(A) and shall not exceed the background level for evening and night time (currently 1900 to 0700 hours) as determined in S.I. No. 140/2006 – Environmental Noise Regulations 2006. Clearly audible and impulsive tones at noise sensitive locations during evening and night as determined in S.I. No. 140/2006 – Environmental Noise Regulations 2006 shall be avoided irrespective of the noise level.
- (b) Noise levels from the proposed development shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any residence, adjoining premises or public place in the vicinity.
- (c) All mechanical plant and ventilation inlets and outlets shall be sound insulated and/or fitted with sound attenuators as necessary to ensure that the noise level as expressed as LA_{eq} over 15 minutes at one metre from the façade of any noise sensitive location does not exceed the background level by more than 10 dB(A) for daytime and shall not exceed the background level for evening and night time (currently 1900 to 0700 hours) as determined in S.I. No. 140/2006 – Environmental Noise Regulations 2006.

Reason: In the interest of public health by the prevent of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, and to uphold the planning authority's amenity policies set out in the South Dublin County Development Plan.

9. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July, 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

10. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

Terry Ó Niadh

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.